

AN ACT

ENTITLED, An Act to establish policies for youth athletes with concussions resulting from participation in youth athletic activities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

Section 1. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as follows:

The South Dakota High School Activities Association, in concert with the Department of Education, shall develop guidelines to inform and educate member schools, coaches, athletes, and the parents or guardians of athletes, of the nature and risk of concussion, including continuing to play after sustaining a concussion. A concussion information sheet shall be signed and returned by any athlete who seeks to compete in activities sanctioned by the South Dakota High School Activities Association and the athlete's parent or guardian prior to the athlete's participation in any youth athletic activities sanctioned by the South Dakota High School Activities Association. A signed information sheet is effective for one academic year.

The guidelines and information sheet shall include protocols and content consistent with current medical knowledge for informing and educating each member school, coach, and athlete participating in athletic activities sanctioned by the South Dakota High School Activities Association, and the athlete's parent or guardian as to:

- (1) The nature and risk of concussions associated with athletic activity;
- (2) The signs, symptoms, and behaviors consistent with a concussion;
- (3) The need to alert appropriate medical professionals for urgent diagnosis or treatment if an athlete is suspected to have received a concussion; and
- (4) The need to follow proper medical direction and protocols for treatment and return to play after an athlete sustains a concussion.

Section 2. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as follows:

The South Dakota High School Activities Association and the South Dakota Department of Education shall develop a training program consistent with section 1 of this Act. Each coach participating in athletic activities sanctioned by the South Dakota High School Activities Association shall complete the training program each academic year.

Section 3. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as follows:

An athlete shall be removed from participation in any athletic activity sanctioned by the South Dakota High School Activities Association at the time the athlete:

- (1) Exhibits signs, symptoms, or behaviors consistent with a concussion; or
- (2) Is suspected of sustaining a concussion.

Section 4. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as follows:

No athlete who has been removed from participation in an athletic activity sanctioned by the South Dakota High School Activities Association may return to athletic activities until the athlete:

- (1) No longer exhibits signs, symptoms, or behavior consistent with a concussion; and
- (2) Receives an evaluation by a licensed health care provider trained in the evaluation and management of concussions and receives written clearance to return to play from such health care provider.

Section 5. For the purposes of this Act, a licensed health care provider is a person who is:

- (1) Registered, certified, licensed, or otherwise recognized in law by the State of South Dakota to provide medical treatment; and
- (2) Trained and experienced in the evaluation, management, and care of concussions.

Section 6. That chapter 13-36 be amended by adding thereto a NEW SECTION to read as follows:

This Act does not create any liability for, or create any cause of legal action against, a school, a school district, or any officer or employee of a school or school district.

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I certify that the attached Act
originated in the

SENATE as Bill No. 149

Secretary of the Senate

President of the Senate

Attest:

Secretary of the Senate

Speaker of the House

Attest:

Chief Clerk

Senate Bill No. 149

File No. _____

Chapter No. _____

Received at this Executive Office
this _____ day of _____ ,

20____ at _____ M.

By _____
for the Governor

The attached Act is hereby
approved this _____ day of
_____, A.D., 20____

Governor

STATE OF SOUTH DAKOTA,
ss.

Office of the Secretary of State

Filed _____, 20____
at _____ o'clock __ M.

Secretary of State

By _____
Asst. Secretary of State